

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

HSBC Mortgage Corporation (USA),

Plaintiff,

v.

Case No. 1:10cv947

Catherine Downton, *et al.*,

Judge Michael R. Barrett

Defendants.

ORDER

This matter is before the Court on the Report and Recommendation filed by the Magistrate Judge on June 24, 2011 (Doc. 8). The Magistrate Judge recommends granting Plaintiff's Motion to Remand; denying as moot Plaintiff's Motion for Summary Judgment; and denying as moot Plaintiff's Motion for Non-Oral Hearing.

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's Report and Recommendation have been filed.

Having reviewed this matter *de novo* pursuant to 28 U.S.C. § 636, this Court finds the Magistrate Judge's Report and Recommendation to be correct.

Accordingly, it is **ORDERED** that the June 24, 2011 Report and Recommendation of the Magistrate Judge (Doc. 8) is hereby **ADOPTED**. It is hereby ordered that:

- 1 Plaintiff's Motion for Remand (Doc. 5) be GRANTED and that this matter be immediately remanded to the Court of Common Pleas, Hamilton County, Ohio;

2. Plaintiff's Motion for Summary Judgment (Doc. 3) be DENIED AS MOOT;
3. Plaintiff's Motion for a Non-Oral Hearing on its Motion for Remand (Doc. 7) be DENIED AS MOOT; and
4. This matter shall be CLOSED and TERMINATED from the docket of this court.

IT IS SO ORDERED.

/s/ Michael R. Barrett
Michael R. Barrett
United States District Judge